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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT  
DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

WILLIE PETER KOI,

Defendant and Appellant.

A113681

(San Mateo County  
Super. Ct. No. SC059963A)

Defendant appeals from a judgment following his plea of no contest. His counsel has raised no issues and asks this court for an independent review of the record to determine whether there are any issues that would, if resolved favorably to defendant, result in a reversal or modification of the judgment. (*People v. Wende* (1979) 25 Cal.3d 436; see *Smith v. Robbins* (2000) 528 U.S. 259.) We have reviewed the record on appeal and find no meritorious issues to be argued.

An information filed on December 5, 2005 alleged that from 1999 to 2005 defendant committed 21 counts of lewd acts upon a child under the age of 14 (Pen. Code,<sup>1</sup> § 288, subd. (a)) and one count of using force to commit a lewd act upon a child (§ 288, subd. (b)). It was further alleged that all counts involved the same victim

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<sup>1</sup> All statutory references are to the Penal Code unless otherwise indicated.

and were serious felonies. (§ 1192.7, subd. (c)(6).) Pursuant to section 784.7, jurisdiction in San Mateo County was alleged in counts 1 through 17.<sup>2</sup>

On January 23, 2006, defendant entered a plea of no contest to five counts of lewd acts upon a child (counts 1–4 & 21) and one count of forcible lewd acts upon a child (count 17). In addition, defendant admitted that each count was a serious felony and that San Mateo County had jurisdiction. It was agreed that defendant would receive a sentence of 16 years in state prison. Defense counsel acknowledged there was a factual basis for the pleas based on the police reports received in discovery and “interviews that were conducted.” Defendant waived his right to have a probation report prepared.

At sentencing on March 17, 2006, the court denied probation and sentenced defendant to 16 years in state prison. Defendant was awarded a total of 276 days of custody credits. He was ordered to pay a \$200 restitution fine (§ 1202.4), a \$20 security fee, and a \$200 fine, which was suspended pending completion of parole. (§ 1202.45.) Defendant was also ordered to pay \$1,680 to victim’s compensation for counseling services.

No factual hearings were held and no probation report was prepared. The victim and her mother addressed the court at sentencing, and according to them, defendant was the victim’s uncle who moved to the United States from the Fiji Islands. He lived with the victim and her parents. The molestations began when the victim was eight or nine years old and defendant was 17, and continued for five or six years.

When a defendant has entered a plea of no contest, he may appeal either to review postplea proceedings not affecting the plea’s validity or to review the denial of a motion to suppress evidence. (See Cal. Rules of Court, rule 30(b)(4).) In order to pursue an appeal on “other grounds going to the legality of the proceedings,” a defendant who has pled guilty must obtain from the trial court a certificate of probable cause. (§ 1237.5,

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<sup>2</sup> Section 784.7 provides that when acts of criminal sexual conduct occur in more than one jurisdictional territory, they may be tried in any jurisdiction where at least one of the offenses occurred.

subd. (b); Cal. Rules of Court, rule 30(b)(1), (2).) Defendant has not obtained a certificate of probable cause so our review is limited to the sentencing issues or other matters occurring after the plea asserted in his notice of appeal, which do not require a certificate of probable cause. (*People v. Lloyd* (1998) 17 Cal.4th 658, 663-664; Cal. Rules of Court, rule 30(b)(3)–(5).)

We have reviewed the entire record and find no meritorious sentencing issues that would require reversal of the judgment. The defendant was represented by competent counsel throughout the proceedings. The court imposed a 16-year sentence pursuant to the plea bargain and awarded custody credits. The restitution fines it imposed were also appropriate. We, therefore, hold that there are no arguable issues that require further briefing.

The judgment is affirmed.

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Margulies, J.

We concur:

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Marchiano, P.J.

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Swager, J.